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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,872	04/16/2001	Mark Vange	CIRC019	5576

25235 7590 07/28/2004
HOGAN & HARTSON LLP
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EXAMINER

EL HADY, NABIL M

ART UNIT PAPER NUMBER

2154

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/835,872

Applicant(s)

VANGE ET AL.

Examiner

Nabil M El-Hady

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/26/02, 11/20/02</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-22 are presented for examination..
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1,2, 12-15, 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Lewis (6,513,019) (hereinafter Lewis).
4. As per claim 1, Lewis teaches a method for delivering network resources comprising the acts of: establishing request-response traffic between a first and second computer (e.g. col. 6, lines 61-63); and reformatting the request/response traffic at least once in at least one intermediary computer between the first and second computer (e.g. col. 6, lines 63-67).
5. As per claim 17, it is rejected for similar reasons as stated above.
6. As per claim 2, Lewis teaches the method wherein the first computer comprises a client and the second computer comprises a server, and the act of establishing request response traffic comprises: generating a client request specifying resources available

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on the server (e.g. col. 7, lines 15-30); retrieving the specified resources (e.g. col. 7, lines 15-30); generating a response to the client request in the server and at least one of the intermediary computers (e.g. col. 7, lines 20-30); and forwarding the server response after reformatting from the at least one intermediary server to the client (e.g. col. 7, lines (e.g. col. 7, lines 30-35).

7. As per claim 12, Lewis teaches the method wherein the act of reformatting comprises considering special needs of the client during the reformatting (e.g. col. 7, lines 20-25).

8. As per claim 13, Lewis teaches the method further comprising: reformatting at least once in a second intermediary computer (e.g. col. 7, lines 5-15).

9. As per claim 14, Lewis teaches the method wherein the reformatting in the second intermediary computer undoes at least some of the reformatting performed in the first intermediary computer (e.g. col. 8, lines 50-65).

10. As per claim 15, Lewis teaches the method wherein the reformatting comprises reformatting data included in responses only (e.g., col. 7, lines 30-35).

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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12. Claims 3, 4, 11, 18, 19, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of Guck (5,848,415).

13. As per claim 3, Lewis does not specifically teach the method wherein the act of reformatting comprises converting graphic data within the request/response traffic from a first graphic format to a second graphic format. Guck teaches the method wherein the act of reformatting comprises converting graphic data within the request/response traffic from a first graphic format to a second graphic format. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Lewis with Guck. The motivation would have been to provide other forms of graphics in order to provide compressed graphics information.

14. As per claim 4, it is rejected for similar reasons as above.

15. As per claim 11, it is rejected for similar reasons as stated above.

16. As per claim 18, it is rejected for similar reasons as stated above.

17. As per claim 19, it is rejected for similar reasons as stated above.

18. As per claim 20, it is rejected for similar reasons as stated above.

19. As per claim 21, it is rejected for similar reasons as stated above.

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20. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of Sobeski et al. (6,484,311) (hereinafter Sobeski).

21. As per claim 5, Lewis does not specifically teach the method wherein the act of reformatting comprises converting between a Java script component and an ActiveX component. Sobeski teaches the method wherein the act of reformatting comprises converting between a Java script component and an ActiveX component (e.g. Abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Lewis with Sobeski. The motivation would have been to allow systems to use different technologies in order to make them more universally useful.

22. Claim 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of Kunita et al. (5,724,526).

23. As per claim 6, Lewis does not specifically teach the method wherein the act of reformatting comprises converting formatted text within the request/response traffic from a first format to a second format. Kunita teaches the method wherein the act of reformatting comprises converting formatted text within the request/response traffic from a first format to a second format (e.g. col. 3, lines 50-56). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Lewis with Kunita. The motivation would have been to provide other text formats in order the system to become more universal.

24. As per claim 7, it is rejected for similar reasons as stated above.

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25. Claims 8, 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of "Official Notice".

26. As per claim 8, Lewis does not specifically teach the method wherein the act of reformatting comprises converting hypertext links within the request/response traffic between an absolute form and a relative form. "Official Notice" is taken that both the concept and advantages of the converting hypertext links between absolute and relative forms are well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Lewis and "Official Notice" The motivation would have been to provide for easier conversion of URLs in order for web pages to work on different platforms.

27. As per claim 9, it is rejected for similar reasons as stated above.

28. As per claim 10, it is rejected for similar reasons as stated above.

29. As per claim 22, it is rejected for similar reasons as stated above.

30. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of Nelson (6,058,381) (hereinafter Nelson).

31. As per claim 16, Lewis does not specifically teach the method wherein the reformatting comprises the acts of: resolving links within the request/response traffic to identify network resources pointed to by the links; retrieving resources pointed to by the links; embedding resources pointed to by the links in-line with other data in the request/response traffic; and

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forwarding the request/response traffic after embedding. Nelson teaches the method wherein the reformatting comprises the acts of: resolving links within the request/response traffic to identify network resources pointed to by the links (e.g. col. 7, lines 42-63); retrieving resources pointed to by the links (e.g. col. 7, lines 42-63); embedding resources pointed to by the links in-line with other data in the request/response traffic (e.g. col. 8, lines 35-40); and forwarding the request/response traffic after embedding (e.g. col. 7, lines 50-60).

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (703) 308-7990. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 25, 2004


Nabil El-Hady, Ph.D, M.B.A.
Primary Patent Examiner
Art Unit 2154